

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
REGULAR MEETING
FEBRUARY 23, 2022**

ATTENDANCE: Marcus Brown, Co-chair; Aikeem Boyd, Jorge Cruz, Ernest Newton, Michelle Lyons, (6:04 p.m.); Rosalina Roman-Christy, Co-chair (6:04 p.m.)

OTHERS: Council President A. Nieves, Council Member(s): S. Burns, T. Mack, M. McBride-Lee, M. McCarthy, M. Pereira & R. Smith; T. Gaudett, Mayoral Aide; Atty. M. Anastasi; Steve Auerbach, Parking Enforcement; Barbara, Gemeen Davis, Callie Heilmann's Phone, Encida Martinez, Call In User_1; 203-690-6211

CALL TO ORDER

Co-chair Brown called the meeting to order at 6:02 p.m. A quorum was present.

APPROVAL OF COMMITTEE MINUTES:

• January 25, 2022 (Regular Meeting)

**** COUNCIL MEMBER NEWTON MOVED THE MINUTES OF THE JANUARY 25, 2022 REGULAR MEETING.**

**** COUNCIL MEMBER BOYD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Council Member Roman-Christy and Council Member Lyons joined the meeting at 6:04 p.m.

25-21 Proposed Amendment to the Municipal Code of Ordinances, Chapter 10.12 – Stopping, Standing and Parking Generally, amend Section 10.12.080 – Illegal Parking in a Bus Zone.

Atty. Anastasi and Mr. Auerbach presented the item. It was noted that this fine had not been increased prior to 2018. Mr. Auerbach said that the fines had been increased, but the ordinance amount had not been changed to reflect that increase. Discussion followed about the details.

Council Member Pereira said that they had been illegally charging people \$60 when the ordinance only states it was \$45.

Whoever drafted the resolution did not follow the format protocol. The strike outs must be removed and replaced with brackets and a final phrase “Be it ordained by the City Council of the City of Bridgeport”, was omitted.

Council Member Newton asked if the item could be voted out of Committee with the proposed changes. Atty. Anastasi said that it could with the understanding that either Mr. Auerbach or Atty. Jankowski submit the resolution in the proper form. Atty. Anastasi said that they should also schedule a public hearing. Atty. Anastasi said that they should pass this as quickly as possible since the residents were being charged \$60 rather than \$45.

Council Member Pereira said that the administration should conform to the ordinance, not the ordinance to the administration.

Council Member Pereira said that now that they were aware of the discrepancy, they could only charge \$45, not \$60. Discussion followed.

Council Member Pereira said that it bothered her that the legal opinions were not sent to the Council Members until 45 minutes before a meeting. There have been many times when the Council Members don’t receive the legal opinion until they are actually in the meeting. She said that the legal opinion should be ready for the Committee meetings rather than just before the full Council meetings.

Atty. Anastasi said that he agreed with her, but pointed out that many issues had deadlines.

Council Member Newton said that they can’t legislate what is going on in the Police Department but they can put pressure on the Police to get this moved forward.

Council Member Cruz said that this was another time when they didn’t have a legal opinion. However, he agreed with Council Member Newton about getting this approved with the changes.

Council Member Brown said that he did not have a problem with this, but wanted three conditions:

- that the resolution be submitted to the Council in the proper form, with things that are new being underlined and the things that are being removed placed in brackets, and
- that a City Attorney be in attendance at the March 7th meeting, and
- the City immediately stop charging people \$60 with no basis or justification and the fee be \$45 until the resolution is approved by the Council

Council Member Pereira requested that the enacting clause “Be it ordained by the City Council of the City of Bridgeport” be included in the resolution.

**** COUNCIL MEMBER NEWTON MOVED TO APPROVE AGENDA ITEM 25-21 PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 10.12 – STOPPING, STANDING AND PARKING GENERALLY, AMEND SECTION 10.12.080 – ILLEGAL PARKING IN A BUS ZONE WITH THE FOLLOWING CORRECTIONS:**

- THAT THE RESOLUTION BE SUBMITTED TO THE COUNCIL IN THE PROPER FORM, WITH THINGS THAT ARE NEW BEING UNDERLINED AND THINGS THAT ARE BEING REMOVED ARE IN BRACKETS, AND**
- THAT A CITY ATTORNEY BE IN ATTENDANCE AT THE MARCH 7TH MEETING, AND**
- THE CITY IMMEDIATELY STOP CHARGING PEOPLE \$60 WITH NO BASIS OR JUSTIFICATION AND THE FEE BE \$45 UNTIL THE RESOLUTION IS APPROVED BY THE COUNCIL, AND**
- THE ENACTING CLAUSE “BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT” BE INCLUDED IN THE RESOLUTION.**

AND THE LEGAL OPINION BE FORWARDED TO THE ORDINANCE COMMITTEE MEMBERS BEFORE THE NIGHT OF THE VOTE ON MARCH 7TH AND WILL BE EFFECTIVE AFTER 30 DAYS AND EFFECTIVE UPON PUBLICATION.

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO SCHEDULE A PUBLIC HEARING ON MARCH 7TH FOR AGENDA ITEMS 25-21 AT 6:00 P.M.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

26-21 Proposed Amendment to the Municipal Code of Ordinances, Chapter 10.16 – Parking, amend Section 10.16.070 – Rates and Charges; Grace Period; Prompt Payment Discount; Immobilization; Exemptions.

**** COUNCIL MEMBER NEWTON MOVED AGENDA ITEM 26-21 PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 10.16 – PARKING, AMEND SECTION 10.16.070 – RATES AND CHARGES; GRACE PERIOD; PROMPT PAYMENT DISCOUNT; IMMOBILIZATION; EXEMPTIONS.**

**** COUNCIL MEMBER CRUZ SECONDED.**

Mr. Auerbach said that this addressed the grace period with the former meters. He said that there was a 10 minute grace period when the meters had photo enhancement. However, those meters are gone. If the enforcement officer sees that the meter is well over 10 minutes, they will issue a ticket. If the officer sees an expired meter, they will ticket the car. This ordinance went into

effect in 2017, however the other meters were removed afterward. The ordinance was not changed.

Council Member Cruz said that the customer service has been very good. The 10 minute grace period is now obsolete since the other meters are no longer used.

Council Member Pereira made some suggestions regarding the language in the ordinance. This included removing two lines in reference to the grace period which appeared to have been inserted to address that. She suggested the language to correct this.

Council Member Pereira noted that whoever drafted the resolution did not follow the format protocol. The strike outs must be removed and replaced with brackets and a final phrase “Be it ordained by the City Council of the City of Bridgeport”, was omitted.

**** COUNCIL MEMBER NEWTON MOVED TO APPROVE AGENDA ITEM 26-21 PROPOSED AMENDMENT TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 10.16 – PARKING, AMEND SECTION 10.16.070 – RATES AND CHARGES; GRACE PERIOD; PROMPT PAYMENT DISCOUNT; IMMOBILIZATION; EXEMPTIONS WITH THE CHANGES TO THE WORDING AS DISCUSSED BY THE COMMITTEE AND TO SCHEDULE A PUBLIC HEARING ON MARCH 7, 2022 AT 6:00 P.M. AND THE RESOLUTION WILL BE EFFECTIVE AFTER 30 DAYS AND EFFECTIVE UPON PUBLICATION.**

**** COUNCIL MEMBER LYONS SECONDED.**

Council Member Pereira asked who would be drafting the changes. Discussion followed.

**** THE MOTION PASSED UNANIMOUSLY.**

23-21 Proposed Amendments to the Municipal Code of Ordinances, Chapter 2.06 – Common Council, amend to add New Section(s): 2.06.080 – Legislative Aides for City Council; 2.06.090 – Legislative and Legal Counsel to the City Council and 2.06.100 – Budget Director for City Council.

Council Member Brown said that there had been amendments made to this item. There is also a PowerPoint presentation about this item.

**** COUNCIL MEMBER NEWTON MOVED AGENDA ITEM 23-21 PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 2.06 – COMMON COUNCIL, AMEND TO ADD NEW SECTION(S): 2.06.080 – LEGISLATIVE AIDES FOR CITY COUNCIL; 2.06.090 – LEGISLATIVE AND LEGAL COUNSEL TO THE CITY COUNCIL AND 2.06.100 – BUDGET DIRECTOR FOR CITY COUNCIL.**

****COUNCIL MEMBER ROMAN-CHRISTY SECONDED.**

Council Member Brown said that Council Member Boyd would be sending a PowerPoint presentation to the Council Members. Council Member Boyd said that the presentation breaks down into three portions. They will be covering the hiring process first and move forward from there. Council Member Brown displayed the PowerPoint slides on the screen.

Council Member Newton said that this was significantly different from the original presentation. He asked for clarification on the details, which Council Member Boyd reviewed with him.

Council Member Newton reminded everyone that the hiring process takes time and there are a number of positions that are still waiting to be filled. He estimated that it would be mid-June before they are able to hire someone.

Council Member Boyd noted that in the past budget cycle, \$90,000 had been allocated for a position like this.

Council Member Brown asked about the six point process to hire staff. He said that he was concerned that the Mayor could hold the Council hostage by refusing to sign the form to approve the hiring. Atty. Anastasi said that the Charter requires that the OPM, Civil Service/Personnel Director and the Mayor sign off on the position. There are technical issues, such as whether it will be a competitive or non-competitive position. This will have to be considered by the City Attorney's Office.

Council Member Pereira said that the amendment was made and the changes were not sent to the full Council. She asked whether this would be unclassified and non-competitive or if they would be able to unionize.

Council President Nieves said that she had spoken with Mr. Amado, the Civil Service Director, about this. Even if a position is unclassified, it will have to go to Civil Service. This may be a Special Project Coordinator position. She gave the details.

Council Member Pereira said that her original calculation for an employee would cost about half a million dollars with fringes and benefits. She asked if anyone had researched this with Civil Service and whether the cost analysis on the position had been done.

Council President Nieves said that she had just spoken with Mr. Amado about this earlier in the day. Council President Nieves and Council Member Mack have worked on this and compiled some of the information. Having a staff member will lighten the burden on the Council Members.

Council Member Pereira asked if they would be able to unionized. Atty. Anastasi reviewed the different classifications of positions. He discussed the difference between affiliated verses unaffiliated. He said that it sounds like the Council is looking for an unclassified and non-

competitive position. There are a number of issues that have to be settled first before they will get to the question of affiliated verses unaffiliated.

Council Member Newton said that the goal was to have a staff member to assist the City Council Members. He said that he was not in favor of having the staff member be part of a union. The position should be unclassified and unaffiliated. Otherwise, when a new Council comes in, they won't be able to choose the best staff members for them.

Council Member Lyons said that her concerns were that the staff members were not politically connected. She also said that they need to have some type of confidentiality agreement. This caused problems the last time around.

Atty. Anastasi said that they would have to check the CGS regarding City employees engaging in politics. They are looking for a legislative support member. Atty. Anastasi said that there were most likely statutory measures.

Council Member Lyons said that one other problem was that documents ended up outside of the office. Last time, things ended up being public knowledge before the Council Members knew about it.

Council Member Cruz said that he works and simply doesn't have time to do all the research. The Council needs the aide and their own attorney. The Council is a separate legislative body. It is time to move on. He would like to see the position as unclassified.

Council Member Burns suggested that they form a Personnel Committee first to develop a job description they want. When the interview happens after a resume is submitted, they can review the particulars.

Council Member McBride-Lee said that she would like to hire someone who was unionized. She asked who would be on the Personnel Committee.

Council President Nieves said that other cities have their Council President, the Majority Leader and another Council Member on their Personnel Committee. The purpose of testing is to ensure that the candidate is not just getting the job because the candidate is a family member or connected in some way.

Council Member McBride-Lee said that the Council had been trying to do this for some time and she was happy that it was moving forward. She stated that if anyone is endorsed, it will be an issue for her.

Council President Nieves said that she understood Council Member McBride-Lee's concerns about endorsement. However, Bridgeport residents have the right to express their opinions.

Every Council Members should be careful with Special Interest issues. The Council Members are independent. Discussion followed.

Council Member McCarthy asked if this would be table for further discussion. He is in favor of this, but was wondering if they really needed five staff members. He suggested two staff who would be supplemented with interns from nearby universities. Council Member McCarthy said that he would hold his other comments for another time.

Council Member Roman-Christy said that it indicates that the Council President be authorized to hire. She asked who would be responsible if the staff member was hired by the Council rather than Civil Service and ended up suing the Council.

Atty. Anastasi explained that unclassified is different from unaffiliated. He went on to explain that it would depend on whether whoever is hired is acting within the scope of their employment. The City would be responsible if they were doing something within the scope of their employment. Discussion followed.

Council Member Pereira asked why there were such extensive Civil Service requirements which were put in place by Jasper McLevy. She said that it would be important to have a testing requirement because they have to be able to use PowerPoint, write letters and have a variety of other skills.

Council Member Pereira said that she would like to see a legal opinion about the Council President having the power to form a committee.

Council Member Brown recommended that there would be 7 members due to the Council Rules. He added that Bridgeport residents should receive additional points and finally he agreed that there should be five staffers. There should be a City Attorney on retainer with a Budget Director under contract.

Council Member Newton reminded everyone that the Mayor can't pick the staff for the City Council because the Council is independent. He said that it sounds like people are making things more difficult than it is. The Council President has the right to form committees. The Council Members need some budget people to help them and make suggestions. He wondered why someone would have to take a test when they could just read a resume. Testing will just prolong the Council from hiring the staff.

Council Member Brown said that many Council Members probably have an idea of how they would like this to go. He said that amendments should be submitted in advance so the Committee can review and vote on each amendment individually.

Discussion followed about whether the City Attorney's Office would have a legal opinion prepared in time for the next meeting.

Council Member Brown said that they would pass this item out of Committee with or without a legal opinion.

**** COUNCIL MEMBER NEWTON MOVED TO ENTER THE POWERPOINT PRESENTATION AS EXHIBIT # 02-23-22-01.
** COUNCIL MEMBER CRUZ SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Council Member Cruz asked that the documents be sent out to the full Council.

ADJOURNMENT

**** COUNCIL MEMBER NEWTON MOVED TO ADJOURN.
** COUNCIL MEMBER BOYD SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:58 p.m.

Respectfully submitted,

Telesco Secretarial Services